

Service Associates, Inc.

160 East Main Street
Brevard, North Carolina 28712
828.885.2832 – 828.885.5023 FAX

June 2, 2011

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC Docket Number 02-6

VIA ECFS

**Re: Request for Waiver
"Administrator's Decision on Implementation Extension Request"**

To Whom It May Concern:

This appeal is being filed on behalf of the applicant. My Letter of Agency is attached. My contact information is as follows:

Oliver Frail, Senior Compliance Analyst
Service Associates, Inc.
160 East Main Street
Brevard, NC 28712
ofrail@serviceassoc.com
828.885.2832
828.885.5023 FAX

Applicant Contact: Margaret Park, President
The S.C. School for the Deaf and Blind
355 Cedar Springs Road
Spartanburg, SC 29302
SCSDB@serviceassoc.com
(864) 577-7500

This appeal letter requests reversal of the USAC-SLD "Administrator's Decision on Implementation Extension Request" for FY2009 Funding Request Number 1894387.

Regarding:	Administrator's Decision Letter:	
	Date of Letter	April 5, 2011
	Applicant	The S.C. School for the Deaf and Blind
	Billed Entity Number	30781
	Form 471 Application Numbers	691088
	Funding Request Numbers	1894387

The **"Denied in Full" Explanation** given in the Administrator's Decision Letter is:

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation

Service Associates, Inc. is an E-rate compliance support services company providing services exclusively to E-rate applicants

is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

Grounds for Appeal

The S.C. School for the Deaf and Blind (SCSDB) is requesting a waiver of the administrator's decision to deny its request for an Implementation Deadline Extension for FRN 1894387. The Service Provider was unable to complete the installation of the non-recurring services due to circumstances beyond its control.

Discussion

The SCSDB was eligible for this important funding, successfully applied for the funding and then suffered ministerial staff collapse.

Proper and Careful Shepherding of the school's applications, in various phases of post commitment, for multiple funding years was interrupted due to a series of staffing transitions at the school. During these staffing transitions, no one was in the position long enough to gain full perspective and control of the time sensitive work that was needed to continue on a track towards collecting eligible reimbursements for multiple years' E-rate applications.

The largest casualty of the school's total ministerial collapse, described above, involved the proper timing of a large scale purchase and implementation of more than \$1.2 Million in funded internal connections. Securing the level of funding required to apply in the first place was the result of heroic efforts by the SCSDB and the loss in revenue for the costs incurred would be catastrophic.

The funded project was phase 4 of a large scale construction and renovation project of a historical structure.

Phase 1) Finalizing Architectural Drawings to encompass the entire project.
Phase 2) New Construction Phase
Phase 3) Massive Remodel/Renovation to Construction and Historical Codes
Phase 4) Electrical and Technology

Each phase extended beyond its estimated date of completion, setting into motion a domino affect that further delayed the installation of the non-recurring services associated with FRN 1894387. These construction delays were beyond the service provider's control.

These delays would have been accommodated by a timely filed request for an Extension to the Implementation Deadline, prior to the actual deadline; however, with no one in position to oversee the applications and to recognize the requirement, this request was not submitted until the oversight was discovered in November 2010.

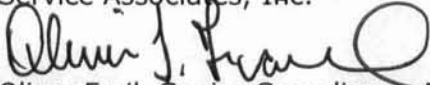
We respectfully request that the Service Delivery Deadline be extended so the SCSDB can claim the crucial reimbursement funds for FRN 1894387. To do otherwise would be to contribute to unintended consequences of hardship and inequity for the students and teachers of the SCSDB.

Closing

I certify that the service provider was unable to complete delivery and installation for reasons beyond the service provider's control.

We all thank you for your kind attention to this matter. Please contact me if you have any questions or need additional information.

Sincerely,
Service Associates, Inc.

A handwritten signature in black ink, appearing to read "Oliver J. Frail", written over the printed name.

Oliver Frail, Senior Compliance Analyst

Attachment: Letter of Agency
Administrator's Decision on Implementation Extension Request

CC: Margaret Park
President, The S.C. School for the Deaf and Blind

February 1, 2011

Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

To Whom It May Concern:

This letter is to inform you that South Carolina School for the Deaf and Blind (SCSDB) BEN 30781 has retained Service Associates, Incorporated to advise and assist the District in all matters regarding E-Rate and associated matters effective January 11, 2011, and we hereby authorize you to fully and openly speak and/or correspond with the Service Associates, Inc. Compliance Analysts listed below regarding all matters before USAC-SLD and/or the FCC:

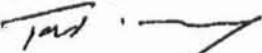
Oliver T. Frail
Thomas T. Traywick
Heather H. Hosey
Jane J. Jones
Linda R. Felderhoff

Additionally, these analysts will serve as the District's Form 471 Block 1 contact person, and as the District's E-rate contact on any other forms and correspondence requested by the District (30781) and/or any of the following Outreach Services Sites:
232697 Charleston, SC; 232694 Columbia, SC; 232700 Florence, SC and 232699 Conway SC.

This Letter of Agency will be in effect through October 31, 2012, unless canceled or extended by the District, and covers all District applications for all types of services for any Funding Year.

Thank you for your assistance in this matter.

Sincerely,



Todd Young, CIO
SC School for the Deaf and Blind

cc: Oliver T. Frail



Schools and Libraries Division

Administrator's Decision on Implementation Extension Request

April 5, 2011

Oliver T. Frail
Service Associates, Inc.
160 East Main Street
Brevard, NC 28712

RE: SC SCHOOL FOR THE DEAF AND THE BLIND

471 Application Number:	**See Attachment**
Funding Request Number(s):	**See Attachment**
Your Correspondence Dated:	November 16, 2010

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your implementation extension request. This letter explains the basis of USAC's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your request included more than one Form 471 Application, please note that for each application you will receive a separate determination letter.

Decision on Appeal: **Denied in full**

Explanation: Request received after the FCC deadline for Implementation Deadline Extension requests which was 09/30/2010.

In accordance with the FCC Report and Order (FCC 01-195) released on June 29, 2001, the Administrator may grant an extension of time for the implementation of non-recurring services if the implementation is delayed for circumstances beyond the named service provider's control. You have been unable to establish such circumstances.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or Service Provider name,
 - BEN and/or SPIN,
 - Form 471 and FRN,
 - Invoice number as assigned by SLD,
 - "Administrator's Decision on Implementation Extension Request" dated April 5, 2011
AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, send your appeal to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to USAC by fax, fax your appeal to (973) 599-6542.

To submit your appeal to USAC on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

While we encourage you to resolve your appeal with USAC first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

cc: Craig Jackson, Dell Marketing LP
Ron Kirby, Pace Communication Group
Andy White, AT-NET Services (SC)

471_NO	FRN
695534	1910563
695497	1910436
695562	1910678
695623	1910911
695590	1910791
695795	1911646
691088	1894387
691156	1894591
690993	1893891
694070	1904895
690949	1893790

